

EXHIBIT C

Affidavit of Rappaport

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, ss.

SUPERIOR COURT
DOCKET # 071882

COMMONWEALTH

v.

SHAWN DRUMGOLD

AFFIDAVIT OF ATTORNEY STEVEN J. RAPPAPORT IN SUPPORT
OF DEFENDANT'S MOTION FOR A NEW TRIAL

I, Steven J. Rappaport, hereby depose and state:

1. I am an attorney in good standing licensed to practice in Massachusetts for 25 years.
2. I was trial counsel for the defendant, Shawn Drumgold.
3. Although I represented Shawn over 13 years ago, I can still recall the details of his trial.
4. I think Shawn Drumgold's case stuck in my mind because I was devastated that Shaw was convicted for a crime I believe he did not commit.
5. Shawn's appellate attorney has provided me with a copy of an affidavit from an Olisa Graham.
6. I have reviewed Ms. Graham's affidavit.
7. The Commonwealth never provided me with any statement from Olisa Graham. In fact, I was unaware that she was interviewed until I received her affidavit.
8. Had the Commonwealth informed me prior to trial that Olisa Graham could corroborate Shawn Drumgold's alibi, I would have called her as a witness for the defense.
9. Had the Commonwealth informed me that Ms. Graham was advised not to testify, I would have brought this information to the attention of the Court and filed a Motion to Dismiss for Prosecutorial Misconduct.

Signed under the pains and penalties of perjury this 16th day of December 2002.


Steven J. Rappaport

